



**RTPI Cymru**

Royal Town Planning Institute  
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12 September 2018

e-mail response sent to: [SeneddEIS@assembly.wales](mailto:SeneddEIS@assembly.wales)

Dear Sir/Madam,

**Response to: Compulsory Purchase**

The Royal Town Planning Institute (RTPI) is the largest professional institute for planners in Europe, representing some 25,000 spatial planners. RTPI Cymru represents the RTPI in Wales, with 1,100 members. The Institute seeks to advance the science and art of spatial planning for the benefit of the public. As well as promoting spatial planning, the RTPI develops and shapes policy affecting the built environment, works to raise professional standards and supports members through continuous education, training and development.

The response has been formed drawing on the expertise of the RTPI Cymru Policy and Research Forum which includes a cross section of planning practitioners from the private and public sectors and academia from across Wales.

Thank you for the opportunity to contribute our views to the above consultation.

The request for evidence is particularly broad and it is unclear if the Inquiry is looking at process or principles. We have therefore set out below a number of general planning comments in relation to Compulsory Purchase.

The Independent Advisory Group looked at Compulsory Purchase in their report to Welsh Government, '[Towards a Welsh Planning Act: Ensuring the Planning System Delivers](#)' (June 2012). They recommended (see recommendation 97) a number of legislative changes to the Compulsory Purchase Order (CPO) provisions.

We understand that CPOs are not widely used to secure routes for active travel, primarily due to many not being of a scale to justify the costs and risks of the process to Local Authorities. Generally, the preferred option to secure active travel routes at a smaller scale would be to seek to secure land required by way of negotiation. However, if an active travel route were part of a larger scheme, which required a CPO to build, then this may be an appropriate route for land assembly.

Equally in relation to major infrastructure projects, the objective would be to acquire land rights by agreement in the first instance (demonstrating steps taken to acquire land rights by agreement is an integral part of applying for a CPO), with CPO itself being a last resort.

In terms of town centre regeneration, it can also be beneficial as a final course of action, after all other means have not secured a result – should an individual decide not to sell.

The Compulsory Purchase process requires significant legal/surveying input and can therefore be expensive, time-consuming, and resource-intensive. The cost and timescale for going through the CPO process, usually resulting in an Inquiry, can in itself be off putting to Local Authorities. However we also recognise that this forms the necessary steps to ensure the process is open, transparent, and not open to challenge. A formal system is necessary to ensure fair inputs etc, however we note, as with many formal procedures and processes, it is useful for the likely outcomes and nature of the process to be more clearly set out and understood by objectors at the outset.

We also question whether there is a lack of public sector experience in using the process, requiring further training, sharing of information and skills or another learning process.

In considering CPOs it is important to cross reference and coordinate with all relevant Committees /Ministers and the Programme for Wales Agenda to ensure a holistic review.

If you require further assistance, please contact RTPI Cymru on 029 2047 3923 or e-mail Roisin Willmott at [walespolicy@rtpi.org.uk](mailto:walespolicy@rtpi.org.uk)

Yours sincerely,



Dr Roisin Willmott OBE FRTPi  
**Director**  
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